

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

— against —

PETER AJEMIAN, et al.,

Defendants.

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11 Cr. 1091 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

Various defendants in this case have moved to sever, submitting a number of overlapping proposals. (See, e.g., Docket Nos. 213, 220, 230, 231, 236, 244, 246, and 258.) The Government has consented to severance and put forth its own proposal to divide this case into two trials. (See Docket No. 274.) Under the Government's plan, the first trial would include defendants Peter Ajemian, Maria Rusin, Gregory Noone, Regina Walsh, Sharon Falloon, Gregory Bianchini, Karl Brittel, Brian Delgiorno, Franklin Plaia, Kevin Nugent, Thomas Delalla, and Marie Baran (the "Ajemian Group"). The second would include defendants Peter Lesniewski, Joseph Rutigliano, Steven Gagliano, and Richard Ehrlinger (the "Lesniewski Group").¹ Defendant Peter Lesniewski submitted a letter to the Court joining the Government's plan.

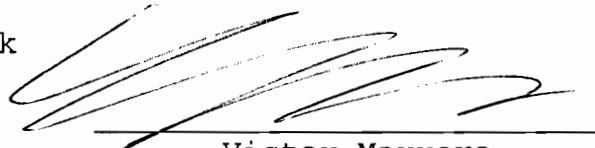
Having reviewed the parties' submissions and considered the discussion on this matter during the December 7, 2012 court conference, the Court **GRANTS** in part and **DENIES** in part defendants' motions for severance and adopts the Government's proposal to bifurcate the trial of

¹ The Government's initial submission included Philip Pulsonetti in the Ajemian Group and Michael Stavola in the Lesniewski Group, but both individuals have since entered guilty pleas in this matter.

this case. The trial for the Ajemian Group will begin on February 11, 2013, and the trial for the Lesniewski Group will begin at a date to be determined at the final pretrial conference in this action, now scheduled for January 18, 2013. For the reasons stated at the December 7, 2012 conference, it is the Court's view that a superseding indictment reflecting the foregoing bifurcation would facilitate the most efficient trial of the case and thus is warranted.

SO ORDERED:

Dated: New York, New York
13 December 2012


Victor Marrero
U.S.D.J.